

## DECLARATION AND POWER OF ATTORNEY

As the below named joint inventors, we hereby declare that:

Our residences, post office addresses and citizenship are as stated below next to our names.

We believe we are an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled DNA Encoding A Plant Deoxyhypusine Synthase, A Plant Eukaryotic Initiation Factor 5A, Transgenic Plants and A Method for Controlling Senescence and Programmed Cell Death in Plants the specification of which (check one):

\_\_\_\_\_ is attached hereto  
or  
was filed on June 19, 2000  
as United States Application No. 09/597,771,  
and  
was amended on \_\_\_\_\_.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

We acknowledge the duty to disclose information which is material to the patentability of this application, as defined in 37 C.F.R. §1.56.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56, including all material which became available between July 6, 1999, the filing date of prior application Serial No. 09/348,675 (pending) and the filing date of the above-cited Continuation-in-Part application (37 CFR §1.63(d)).

We hereby claim foreign priority benefits under Title 35 United States Code §119(a)-(d) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below. We have also identified below any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Appl. Serial No./ Country	Filing Date	Status	Priority Claim d
PCT/US00/18364	07/06/00		Yes: X No:

\_\_\_\_\_ Additional foreign applications are listed on an attached supplemental priority data sheet.

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We hereby claim the benefit under Title 35, United States Code §120, of any United States applications or §365(c) of any PCT international application designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in those prior applications in the manner provided by the first paragraph of Title 35, United States Code §112, we acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>U.S. / PCT Appl. Serial No.</u>	<u>Filing Date</u>	<u>Status/Patent No.</u>	<u>Priority Claimed</u>
09/348,675	07/06/99	Pending	Yes: X No:

Additional U.S. / PCT applications are listed on an attached supplemental priority data sheet.

We hereby claim the benefit under Title 35, United States Code §119(e), of any United States provisional applications listed below :

<u>Application Number</u>	<u>Filing Date</u>

And we hereby appoint:

Richard L. DeLucia	Registration No. 28,839
Elizabeth Gardner	Registration No. 36,519
Judith L. Toffenetti	Registration No. 39,048 and
Jennifer L. King	Registration No. P-46,828

our attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please address all communications regarding this application to:

Jennifer L. King  
 KENYON & KENYON  
 1500 K Street, N.W.  
 Washington, DC 20005

Direct all telephone calls to:

Jennifer L. King  
 at (202) 220-4363

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

First Inventor : John E. THOMPSON  
Inventor's Signature : John Thompson  
Date : Sept 28/00  
Residence : 640 Woolwich Street  
Waterloo, Ontario N2J 4G8, CANADA  
Citizenship : citizen of CANADA  
Post Office Address : same as above

Second Inventor : Tzann-Wei WANG  
Inventor's Signature : Tzann-Wei Wang  
Date : Sept 28/00  
Residence : 300 Regina Street North, Apartment 1-1109  
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Citizenship : citizen of TAIWAN  
Post Office Address : same as above

Third Inventor : Dongen Lily LU  
Inventor's Signature : Dongen Lily Lu  
Date : Oct. 6/2000  
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Citizenship : citizen of CANADA  
Post Office Address : same as above

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From-Senescology, Inc.

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Becket Number 10799/4

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**  
**(37 CFR §1.9(d) & §1.27(c) -- SMALL BUSINESS CONCERN)**

Applicant or Patentee : John E. THOMPSON, et al.  
Serial or Patent No. : -- Not Yet Issued --  
Filed or Issued : Concurrent Herewith  
Title : DNA Encoding A Plant Deoxyhypusine Synthase, Transgenic Plants and A Method  
for Controlling Programmed Cell Death in Plants

I hereby declare that I am :  
                     the owner of the small business concern identified below  
                     an official of the small business concern,  
empowered to act on behalf of the concern identified below

NAME OF THE SMALL BUSINESS CONCERN Senescology, Inc.

ADDRESS OF SMALL BUSINESS CONCERN 11 Chambers Street, Princeton, New  
Jersey 08542

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR §121.12, and reproduced in 37 CFR §1.9(d) for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above, with regard to the invention described in :  
  X   the specification filed herewith with title as listed above  
      the application identified above  
      the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR §1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR §1.9(d), or a nonprofit organization under 37 CFR §1.9(e).

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Each person, concern or organization having any rights in the invention is listed below:

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No such person, concern or organization exists.

Each such person, concern or organization is listed below.

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR §1.27).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR §1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING : \_\_\_\_\_

TITLE OF PERSON, IF OTHER THAN OWNER: \_\_\_\_\_

ADDRESS OF PERSON SIGNING : \_\_\_\_\_

**SIGNATURE:**

DATE :